



Missouri Ethics Commission

Elizabeth L. Ziegler
EXECUTIVE DIRECTOR

Final Action: MEC No. 21-0046-I, The Center for Election Science

Date: 11/12/2021

The Missouri Ethics Commission took final consideration of the complaint filed against The Center for Election Science at its November 10, 2021 meeting.

The Center for Election Science is, according to their own website, “a national, nonpartisan nonprofit focused on voting reform.” It is registered in the State of Missouri as a domestic non-profit corporation. The complaint filed with the Commission alleged that the Center failed to register with the MEC as an out-of-state committee. Additionally, the complaint alleged that the Center had accepted contributions and made expenditures to support Prop D, a local ballot issue concerning Approval Voting in the City of St. Louis in November 2020. Therefore, the MEC’s investigation also considered whether the Center should have registered as a Missouri committee. Specifically, the allegations in the complaint focused on grants the Center provided to STL Approves, a Missouri committee, as well as in-kind contributions in the form of polling, software, and travel.

Pursuant to Missouri’s campaign finance reporting laws, a “committee” is:

[A] person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure[.]

Section 130.011(7), RSMo. The statute definition of “person” includes corporations. Section 130.011(22), RSMo.

The statutory definition of “committee” excludes:

A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, *and* it accepts no contributions, *and* all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction *and* which are not contributions as defined by subdivision (12) of this section[.]

Section 130.011(7)(a)(c), RSMo (emphasis added). A “contribution” is “a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or

opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure[.] Section 130.011(12), RSMo.

With respect to the allegation that the Center should have registered with the MEC as an out-of-state committee, the MEC's investigation determined that the Center was not required to comply with these registration requirements because the Center is not registered in any other state or with the Federal Election Commission as a committee. The Commission defines an "out-of-state committee" as follows:

[A] campaign finance committee registered according to the campaign finance disclosure laws of a state, other than the State of Missouri, or a federal political action committee as defined in this rule, which is registered and reporting with the Federal Election Commission and makes contributions of expenditures to support oppose candidates and ballot measure in this state.

1 CSR 50-5.010(1)(F).

With respect to the question of whether the Center should have registered with the MEC as a Missouri committee, the investigation found that the Center did not accept contributions to support or oppose a ballot measure, but rather accepted donations to its general fund. The Center then used its own funds to create educational materials and make grants. In other words, the Center for Election Science did not undertake any activity that would have required it to register as a committee with the MEC.

From the facts presented, the Commission found no reasonable grounds exist to support a violation of Chapter 130, RSMo, and dismissed the complaint.

Elizabeth L. Ziegler
Executive Director